

REMARKS/ARGUMENTS

35 U.S.C. §103 Rejection, Gallagher et al. in view of Levchin et al.

The Office Action has rejected claims 1 - 24 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of U.S. Patent No. 7,031,939 to Gallagher et al. (hereinafter "Gallagher") in view of the cited portions of U.S. Patent No. 7,089,208 to Levchin et al. (hereinafter "Levchin").

The Office has set forth a *prima facie* showing of obviousness using Gallagher as the primary reference in that rejection. Applicants rebut this *prima facie* showing by noting that the present application is a continuing application from US Application 09/613,615, filed July 11, 2000 (the "parent application"). The parent application adequately supports claim limitations in the present application. Accordingly, the effective filing date of the present application is July 11, 2000. Gallagher has a priority date of August 15, 2000, which is after the effective filing date of the present application. Gallagher is not prior art.

Applicants note that the specific motivation to combine Gallagher and Levchin set forth in the Office Action is not fully understood by the Applicants. No cite is given for this motivation. If Official Notice is the source of this motivation, an Express Showing of Proof is respectfully requested.

Applicants respectfully request reconsideration of the rejection to claims 1-24 without use of limitations from Gallagher properly supported in the parent application. Any further rejection based upon a combination of references should set forth a specific motivation to substitute limitations from one reference with another without reliance on hindsight reconstruction.

CONCLUSION

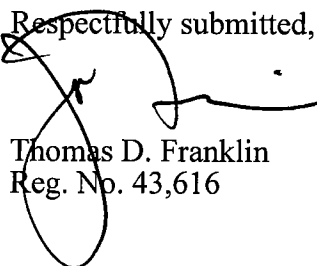
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/046,654
Amdt. dated April 5, 2007
Reply to Office Action of January 10, 2007

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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